REMARKS

We have carefully reviewed the Office Action dated February 10, 2006, in which all of the claims are rejected under section 112 and also as either anticipated by the discussion in the Background section of the application or as obvious over a combination of the teachings of the Background section and a cited reference. We would like to thank the Examiner and his supervisor for the telephonic interview of June 13, 2006, in which the section 112, 102 and 103 rejections of the independent claims were discussed, as well as the section 105 request.

In response to the objections we have corrected typographical errors in the specification and the claims, added a reference to numeral 306 in the specification and added a missing numeral 400 to Fig. 4. Further, in response to the section 112 rejection, we have amended independent claims 1 and 7 and dependent claim 8 to clarify the "if" statements as discussed in the interview. Also we have amended claims 1 and 7 to clarify that the tree structure of groups includes multiple nodes. And, we have amended claims 3 and 4 also for clarity.

We have added new claims 10-19.

Rule 105 Request

In response to the request for information, we have provided herewith the Users Manual for the BelManage system discussed in the Background section of the application, namely, version 5.1. We noticed a typographical error listing version 6 and apologize for any confusion the mistake may have caused. We have also provided the Users Manual for the BelManage system that incorporates the invention, namely, version 6, and several white papers that discuss particular operations of the system and were available before the priority date. The white papers mentioned in the Office Action were not available before the priority date. If the Examiner would like copies of the mentioned papers, even though the papers cannot be considered prior art, we ask that the Examiner contact the undersigned. We also state that the BelManage system that incorporates the

invention was not on sale or offered for sale more than one year before the filing date of the provisional application from which this application claims priority.

The Background section describes the relevant operations of earlier versions of the Assignee's BelManage system. No publications were referred to when preparing the Background section, only the inventors' working knowledge of the prior systems.

<u>Section 112 Rejections</u>

In response to the Section 112 rejections, we have amended claims 1, 7 and 8 to include separate if statements for the one record and multiple record results and we have re-ordered the statements. Each if statement includes the action taken by the system when the query results conform to the if statement. Thus, for example, if the query results in a single record, the system assigns the computer to the group identified, or named, in the record. Alternatively, if multiple records are found that include secondary low values, the system assigns the computer to the group named in the record that is in a predetermined position in the order in which the records are returned. As discussed on page 8, lines 16-17 of the application, the system returns the records in database order, and thus, the system may, for example, assign the computer to the group named in the first record returned.

<u>Sections 102 and 103 Rejections</u>

As discussed in interview, the Background section describes prior methods of grouping using a **single** profile value-to-match field and a corresponding group field that identifies the group to which the computers that meet the grouping criteria, or limit, that corresponds to the profile value to match are assigned. See, page 2, lines 23 et seq. As discussed in the interview, there is no **secondary** profile value to match field in use in the prior systems described in the Background section of the application or in the cited reference.

The two fields in use in the prior systems, namely, the group field that identifies the group and the profile value-to-match field that includes a value that is utilized in the primary criteria to determine if the computer is to be assigned to the identified group,

11

allow the system to assign the computers to respective groups using a single grouping criterion, or limit, per identified group. In order to have a secondary grouping criteria, as in the current system, there must be - in addition to the group field that identifies the group - **two** profile value-to-match fields, one for the primary grouping criteria and one for secondary grouping criteria. The discussion in the Background section of using "two fields, namely, a profile value-to-match field that contains values of particular profile data and a group field that *identifies the groups* into which computers with matching profile data values are to be included" (page 2, lines 21-23, emphasis added) thus does not anticipate claim 1.

As discussed in the Background section, "the particular data selected for use as **the** profile value-to-match depends on possible grouping methods" (page 2, lines 24-25 emphasis added). The Background section goes on to give examples. Thus, the Background section lists "the grouping method may be based on administrator selected groupings" as one example, or the grouping method may be based on "PC Name" as another example, or based on "Windows Login" as yet another example, and so forth.

The Background section then goes on to give examples of the profile value-to-match that may be used for the respective grouping methods. Thus, for groupings based on PC Name the method may use the ProfileName as the computer profile value-to-match, and for groupings based on Windows Domain the method may use the ComputerDomain as the computer profile value-to-match. See, page 2, lines 25-26. As another example, the Background section states "the groupings based on IP subnet may use selected higher order bits of the computer's IP address as the profile value-to-match" – and as yet another example, "the administrator-selected groupings may use other data included in the profiles as the profile value-to-match" (page 2, line 28 - page 3, line 1). These are distinct examples of group mapping techniques in which a single profile value-to-match field dictates the groups to which the computers are assigned.

In contrast, the system of claim 1 assigns the computers to groups using both primary grouping criteria and otherwise unrelated secondary grouping criteria, as set forth in claim 1 paragraph D. See, also, page 3, lines 22-24. The current system thus

uses a group mapping database table that includes profile value-to-match fields for both the primary grouping and the secondary grouping criteria. See, page 3, lines 27-28. The Summary section includes an example in which "the table includes in the primary profile value-to-match field select numbers of the higher order bits of the IP address and in the secondary profile value-to-match field the computer domain names" (page 4, lines 1-3). As set forth in claim 1 paragraph D, the system extracts, from the computer profiles, data that corresponds to the profile data of interest utilized in the primary grouping and the secondary grouping criteria, and the system queries the table to determine if the extracted profile data corresponds to the values that are included in the primary profile value to match fields and the secondary profile values to match the field. See, also, page 4, lines 4-7. Thus, it is quite clear that the current invention differs from the prior art discussed in the Background section at least by the use of the secondary grouping criteria set forth in claim 1 paragraphs A, B and D.

The current system is more flexible than the prior systems as explained in the application by way of examples. In one example, a company uses different IP subnets for respective factories, and within each subnet the same set of computer domains corresponding to divisions such as manufacturing, marketing and sales. The company may use selected bits of the IP address in the primary grouping criteria and computer domain in the secondary grouping criteria, to group the computers into groups that correspond to the divisions within the respective factories. The user can readily re-group the computers if, for example, fewer or more factories are included in the company and/or fewer or more divisions are included in the respective factories by changing the primary and/or secondary grouping criteria.

The prior systems can not create the groups in the same way, since the prior systems use a single profile value-to-match field. Using, for example, selected higher order bits of the IP address as the profile value-to-match, a prior system would group the computers by factory. If further grouping were required, the prior systems would have to configure client software to specify the groups, as discussed in the Background section beginning at page 2, line 13.

Accordingly, the discussion in the Background section does not anticipate the invention of claim 1 because, *inter alia*, the Background section does not show the step of

> **including in a database mapping table fields for the primary grouping criteria and the secondary grouping criteria, and including in those fields in respective table records values corresponding to computer profile data of interest that are utilized in the primary grouping criteria and the secondary grouping criteria, the table further including in the respective records information that identifies the groups to which the computers that satisfy the primary and secondary criteria are assigned**

as set forth in claim 1 as amended. Further, the Background section does not teach or suggest the step. Thus, claim 1, as amended, and the claims that depend therefrom should be in form for allowance.

We do not specifically address the Examiner's rejections of the claims that depend from claim 1, other that to state that the cited EMCO reference does not teach or suggest using primary and secondary grouping criteria. This should not be construed as acquiescence to the rejections, but as recognition that the rejections are moot based on our remarks regarding the allowability of the independent claim 1.
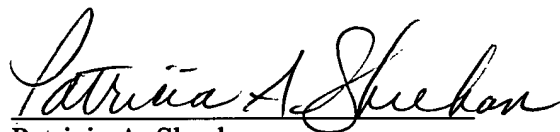
With respect to the discussion of the EMCO reference, however, we would like to point out that the reference does not teach or suggest *any* method of assigning computers to groups that correspond to a multiple node tree structure. Rather, the EMCO reference simply refers to a LAN tree, which is a list or at best a single node tree. See, e.g., page 6. The Examiner refers to page 8 of the EMCO reference and the use of an IP addresses-to-ignore field as teaching the use of secondary grouping criteria. However, the IP addresses-to-ignore field is used merely to prevent one or more specific machines, i.e., machines with specified IP addresses, from being added to the list of machines that are scanned. Thus the IP addresses-to-ignore information controls the scanning operations and there teaching or suggestion of using the IP addresses-to-ignore information to assign the specific machines to any groups.

The same can be said for the IP range information discussed also on page 8 of the EMCO reference. Specifically, the range information controls which machines are added to the list for scanning. Thus the teachings of EMCO do not readily combine with the teachings of the Background section of the application since the EMCO teachings apply to inclusion or exclusion from scanning operations and not the assignment of computers to groups that correspond to a multiple node tree. Even if the teachings could be combined, there is no teaching or suggestion of the subject matter of independent claim 7 and the claims that depend therefrom because, *inter alia*, the combination does not teach or suggest using a range of values of profile data of interest in the primary grouping criteria for assigning the computers to groups that correspond to the nodes of a multiple-node tree. Further, the combination does not teach or suggest using a range of values also for secondary grouping criteria as set forth in dependent claim 8 or the claims that depend therefrom.

For the same reasons, the newly added claims are not anticipated or made obvious over the cited prior art.

In light of the above, we respectfully request that the Examiner reconsider the rejections and issue a Notice of Allowance for all pending claims, as amended. Please charge any fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

Patricia A. Sheehan
Reg. No. 32,301
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500